

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

JONATHAN D. CLARK, SR.,  Plaintiff,  vs.  JOHN GROSS, police officer at Minnehaha Police Station, in his individual and official capacity; ERIC DOPPENBERG, correction officer at Minnehaha County jail, in his individual and official capacity,  Defendants.	4:15-CV-04068-KES  ORDER ADOPTING REPORT AND RECOMMENDATION AND GRANTING SUMMARY JUDGMENT
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Plaintiff, Jonathan D. Clark, Sr., filed this lawsuit pursuant to 42 U.S.C. § 1983. The case was referred to Magistrate Judge Veronica Duffy pursuant to 28 U.S.C. § 636(b)(1)(B) for the purpose of conducting any necessary hearings, including evidentiary hearings.

On October 3, 2016, the magistrate judge submitted her report and recommended that Clark's motion for appointment of counsel (Docket 49), his motion to extend (Docket 49), and his motion to dismiss affidavits (Docket 59) be denied. She also recommended that defendants' motion for summary judgment (Docket 50) be granted.

Clark was notified in the report and recommendation that he had 14 days to file objections to the report. Even though no objections were filed that would require de novo review under *Thompson v. Nix*, 897 F.2d 356 (8th Cir.

1990), the court reviewed the matter de novo and finds that the magistrate judge's report and recommendation is adopted in full. Therefore, it is

ORDERED that:

1. The report and recommendation of the magistrate judge (Docket 63) is adopted in full.
2. Clark's motion for appointment of counsel (Docket 49) is denied.
3. Clark's motion to extend (Docket 49) is denied.
4. Clark's motion to dismiss affidavits (Docket 59) is denied.
5. Defendants' motion for summary judgment (Docket 50) is granted.

Dated November 9, 2016.

BY THE COURT:

/s/ Karen E. Schreier  
KAREN E. SCHREIER  
UNITED STATES DISTRICT JUDGE